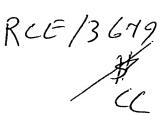
t**#**roner's Docket No.: F-8040



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor

Edward Sax et al.

Applic. No.

10/076,978

Group No.

3679

Filed

February 15, 2002

Examiner

Ryan M. Flandro

For

Fence Construction System for Building a Fence with a Wall Appearance and Characteristics and Method for Building such a Fence

MAIL STOP RCE Commissioner for Patents, Alexandria, VA 22313-1450 RECEIVED

OCT 1 7 2003

GROUP 3600

REQUEST FOR CONTINUED EXAMINATION (RCE) (37 C.F.R. 1.114)

CERTIFICATION UNDER 37 C.F.R.1.8(a) and 1.10

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING/TRANSMISSION

- deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
- 37 C.F.R.1.8(a) with sufficient postage as first class mail.
- 37 C.F.R. 1.10 as "Express Mail Post Office to Addressee" Mailing Label No. EL US
- \Box 37 C.F.R.1.8(a) - transmitted by facsimile to the Patent and Trademark Office.

Practitioner

October 9, 2003 Date: 10/15/2003 CNGUYEN 00000046 10076978 RALPH E. LOCHER REG. NO. 41,947

01 FC:2801 02 FC:2252 385.00 OP 155.00 OP

1.	the above-identified application.								
			TIME REQUEST IS BEING MADE						
2.	This request is being submitted:								
	i. ii		Prior to abandonment of the application						
	11		Payment of the issue fee Prior to payment of the issue fee						
			Issue fee has been paid but a petition under § 1.313 has been granted						
	iii.		Prior to a decision on appeal to the Board of Patent Appeals & Interferences						
			A notice is being separately sent to the Board of Patent Appeal & Interferences that this Request for Continued Examination is being filed.						
	iv.		Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145; or						
			 □ Commencement of a civil action under 35 U.S.C. 146 □ Prior to the filing of such appeal or commencement of civil 						
			action Such appeal or commencement of civil action has been terminated						
			SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114						
3.	a)	Previ ■	ously submitted Consider the amendment under 37 C.F.R. 1.116 previously filed on September 12, 2003.						
			(Any unentered amendments referred to above will be entered) Consider the arguments in the Appeal Brief or Reply Brief previously submitted on						
			Other						
	b)	Enclo	losed herewith is/are:						
			An information disclosure (37 C.F.R. §1.98) Form PTO-1449 (PTO/SB/08A and 08B) An amendment New arguments						
			New evidence in support of patentability Other:						

FEE FOR REQUEST (37 C.F.R. § 1.17(e))

4. This application is on behalf of:

3

Small entity (and status is still as small entity) \$385.00

☐ Large entity \$770.00

Continued Prosecution Request Fee \$385.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. §1.16(b)-(d) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	Small Entity			Large Entity	
	Claims remaining after amendment		Highest No. previously paid for	Present Extra	Rate	Add.Fee	Or	Rate	Add.Fee
Total	42	Minus	42	-	x\$9=	\$		x\$18=	\$
Indep.	6	Minus	6	-	x\$42=	\$		x\$84=	\$
F	irst Presentation	+\$140=	\$		+\$280=				
					Total		Or	Total	
					Addit.Fee			Addit.Fee	

(c) No additional fee is required.

EXTENSION OF TIME

- 6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.
 - (a) Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(l)-(4), for the total number of months checked below:

Extension Large Entity Small Entity two months \$ 420.00 \$ 210.00

Fee: \$ 210.00

An extension for one (1) month has already been secured, and t

An extension for one (1) month has already been secured, and the fee paid therefor of \$55.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$155.00

TOTAL FEES DUE

7. The total fees due are:

Continued Prosecution Fee (§ 1.17(e))	\$385.00
Extension of time fee (if any) ($\S 1.17(a)(1)-(4)$)	\$155.00
Total Fees Due	\$540.00

PAYMENT OF FEE(S) DUE

Please pay the fees for this continued examination application as follows: 8.

Charge Credit Card the sum of (Credit Card Payment Form (PTO-2038) attached) \$540.00

Please charge any required additional fees for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to

Account No. 12-1099 of Lerner and Greenberg, P.A.

INVENTORSHIP

- 9. This application as amended names as inventors:
 - the same inventors as previously designated for the claims.
- 10. **Instructions as to Overpayment**
 - [x]Credit Deposit Account No. 12-1099.

[] Refund

TUBE OF PRACTITIONER

RALPH E. LOCHER REG. NO. 41,947

October 9, 2003 Date:

Tel. No.: (954) 925-1100

(954) 925-1101 Fax No.:

/bb

P.O. Box 2480, Hollywood, FL 33022

P.O. Address